

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
CRIMINAL MINUTES - ARRAIGNMENT AND PLEA**

Case No. 1:10CR00040-001

Date 10/29/10

U.S.A. vs. Kenneth D. Hart

Counsel Joshua Johnson & Greg Hancock

1. ☒ present ☐ custody ☐ bond ☐ age

☒ present ☒ retained ☐ appointed

Counsel

2. ☐ present ☐ custody ☐ bond ☐ age

☐ present ☐ retained ☐ appointed

Counsel

3. ☐ present ☐ custody ☐ bond ☐ age

☐ present ☐ retained ☐ appointed

Counsel

4. ☐ present ☐ custody ☐ bond ☐ age

☐ present ☐ retained ☐ appointed

PRESENT: HON. James P. Jones, United States District, JUDGE

USPO: Sumer Taylor-Sargent

Allison Cook

Bridget Dickert

Pat Hogeboom

Deputy Clerk

Court Reporter

Asst. U.S. Attorney

PROCEEDINGS:

☒ Waiver of Indictment filed ☒ Information filed ☐ Waived Appt. of Counsel

☐ Arraignment and plea continued to _____

☐ Juvenile Information filed with Certificate of U.S. Attorney that State Court refuses jurisdiction

☒ Defendant states that true name is Kenneth D. Hart Given COPY Indictment (Information)

☒ Defendant waives reading of Indictment-Information ☐ Indictment-information read

☒ Defendant is ARRAIGNED and specifically advised of his rights, pur: Rule 11 F. R. C. P.

☐ Defendant moves to CHANGE PLEA ☐ Court grants motion

☒ Plea Agreement filed with/stated to Court

☐ Defendant is re-arraigned as to Ct(s) _____

☐ Continued for plea to _____

☒ Court questions defendant regarding his physical and mental condition, and advises defendant of the nature and possible consequences of said plea

☒ Court accepts _____ plea of guilty

☐ Guilty Plea form executed and filed

☒ Government summarizes evidence to support plea and rests Witness: _____

☒ Court finds defendant guilty as charged in Ct(s) 1 and 2

DEFENDANT PLEADS:	<u>G</u>	<u>NG</u>	<u>NOLO</u>	<u>DISMISSED ON MOTION OF U.S.A.</u>
(list counts)				
1.	<u>1 and 2</u>			
2.				
3.				
4.				

☐ Assigned for hearing on pending motions on _____

☐ Assigned to calendar of Judge _____ for all further proceedings.

☐ Trial set for _____ ☐ Continued to _____
() Jury () Non-jury for setting for trial

☐ Court received Presentence Report.

☐ Copy of Presentence Report not requested.

☒ Court orders Presentence Report.

☐ Copy of same furnished to counsel.

☒ Defendant to remain on bond.

☐ Defendant remanded to custody.

Case continued until Monday, January 31, 2011 at 1:30 pm for sentencing.

Time in Court: 1:07 - 1:34; 2:00 - 2:18 pm

Defendant's initial appearance

Unsecured \$10,000 bond

Conditions of bond:

standard conditions

unlawful use of narcotics

excessive use of alcohol

turn in passport

report to probation office any contact by law enforcement, etc

no travel outside the WDVA without permission

no firearms, etc and residence free of firearms